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Minutes of the Executive Council of the Provisional government, 1893-1894

This index covers both the Provisional Government and Republic of Hawaii council minutes.

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Executive Council

Provisional Government,

Hawaiian Islands

Republic page 73.

Executive Council.

March 27. 1894.

Present, President Dole and Ministers King,
Damon and Smith.

Bill. Consideration of the Appropriation Bill.

A request was presented from the Hawaiian Electric Light Co asking that the incandescent electric lighting part of the Government Electric Light system be given over to the Company, and the Government attend only to the Street Lighting.

Minister King stated that the Superintendent of Public Works, and Mr Cassidy, Superintendent of the Electrical Station approved of the proposition. It was voted to grant the request of the Electric Co.

It was considered expedient that Mr Hatch call upon U.S. Minister, unofficially, and talk with him about the belief of the natives that the U.S. Government still intended to restore Liliuokalani to the throne, and if a statement could be made by him or the Secretary of State that there was no such intention it would tend to settle matters here very much, and if Mr Willis approved the suggestion it would be very desirable to have the announcement made before the election of Delegates to the Constitutional Convention is held.

Adjourned

William D. Smith

Executive Council.

March 29. 1894.

Present, President Dole & Ministers Hatch,
King, Damon & Smith.

Cut Saper Mr Dole stated that he had given Col. Saper leave of absence to go to California on the "Australia" sailing on Saturday next.

Salaries of Mr Dole brought up again the matter of Ministers salaries of Ministers, stating that he thought there should be no reduction.

After discussion it was voted (three to two) that no reduction be proposed.

Interview Mr Hatch reported that he had an unofficial with interview with U. S. Minister Willis yesterday and talked with him of the belief of the natives in Mr Willis the ex-queen would be restored to the throne by the United States, and that the effect was to prevent their taking part in the election of delegates to the Constitutional Convention; they felt that in the event of such restoration those who took part in organizing the new government would be punished by her.

Mr Willis stated that he recognized that fact, but did not think it advisable for him to make any public statement upon the subject at the present time. That his letter to the Government read at the last Council meeting, stating that his instructions had been complied with was all that he could now say. The matter was out of the hands of the Administration at Washington and in the hands of Congress. That he had written unofficially to leading members of Congress informing them of the situation. That he believed action would soon be taken if not already taken, by resolution or otherwise in Congress, which would be decisive. That the Democratic Party felt a

responsibility in regard to the situation here and would doubtless take action in the matter. That at a later period he might be able with the consent of the Hawaiian Government to be of great service to us.

Mr Smith stated that it had been suggested that it would be well to inform the public of the nature of the interview of the Committee of the American Union Party with the Cabinet, on the 22nd inst and to state the nature of the propositions made.

It was decided best not to do so at present, that it was likely the executive committee of the party would likely present the matter again.

Mr Dole presented requisitions of the Colonel for certain equipments of the officers, principally for officers of the volunteer companies.
Voted to recommend granting the request.

Mr Dole also presented the request that the sand bags, now used for fortifications of the entrances of the Executive Building and which (bags) are rotting, be replaced with wooden barricades filled with sand.

Voted to recommend the removal of such barricades altogether.

A report from the Executive Officer of the Board of Health in regard to the unsanitary condition of the Water Closets and cess-pools in the Executive Building, and on the grounds was presented.

Voted to refer the matter to the Board of Health, for such action as they should decide upon.

Adjourned.

William Smith

Executive Council.

March 31. 1894.

Present President Dale & Ministers Hatch,
King, Damon & Smith.

Corporation Exhibits Mr Smith presented the request of Mr Emmet for opportunity of copying corporation records on file.

It was considered proper to allow the examination of the records in the Interior Department but not to permit the documents to be taken away from the office.

Salaries of Ministers Mr Damon again brought up the matter of salaries of Ministers, and urged that they be reduced.

Band, Playing on Sunday The request of the "Concordia Band" (Portland Band) to play tomorrow (Sunday) P.M. from three to six on Punchbowl Street, near the Mormon Church, was refused, pending settlement of the matter of Sunday Band play by the Councils.

Adjourned

William O. Smith

Executive Council

April 2. 1894

Present, President Dole & Ministers Hatch, King, Damon & Smith.

Mr Dole presented the petition of S.W. Kalua Kanikou, a prisoner on the Volcano Road, for Pardon.

The petition states that he was convicted for forgery, and sentenced to eight years imprisonment; that he had served two years and three months.

Decided to refer it to the Advisory Council.

Minister King presented a report from W. E. Rowell, Superintendent of Public Works, in regard to the proposition to transfer the Government Incandescent Electric Light system, to the Hawaiian Electric Light Co.; showing that the present revenue from these lights is \$3600. per annum, besides lighting public buildings.

Decided to refer the matter to the Advisory Council.

The matter of the water works and pumping plant was also discussed.

The matter of the coming election, and construction of the oath was discussed.

It was stated that it is reported that some of the natives seem not to understand the object of the Convention. Also that some people, notably foreigners at Makaweli, Kanai & at Wainua, objected to the word 'oppose' in the form of oath.

It was voted that the Attorney General publish an explanatory statement as to the effect of the oath and object of the Convention.

It was stated that it was reported that a Committee of the American League would shortly wait upon the Government to ask if the

Constitution after passing the Convention would be submitted to a vote of the people for ratification.

Convention It was decided that the answer should be direct that the manner of approving and promulgation of the Constitution would depend very much on the mode of ratification. The course recommended by the Convention.

It was suggested that it would be well for some member of the Advisory Council to go if it was contemplated to make any provision for the ex-queen, and for reply to be made whenever she gave assurances of her loyalty to the Provisional Government and its purposes. The Government would be ready to recommend that provision be made for her support.

Commander Mr Hatch stated that he had received a notice from Minister Willis stating that Commander U.S.S. Adams of the U.S.S. "Adams" would like to be present to the Government, and suggested tomorrow 11 am.

As Mr Dole has an engagement for tomorrow it was decided to suggest that he call on Wednesday at 12 noon.

Adjourned.

William O'Brien

Executive Council.

April 4. 1894

Present Ministers Hatch, King, Damon & Sn

Salary of
Clerk of
Supreme
Court

Mr Damon presented and read a communication from Chief Justice Judd in regard to the proposed reduction of salary of Chief Clerk of the Supreme Court, and giving reasons why it should not be reduced.

Voted that the letter be acknowledged and statement made as to grading of salaries of clerks.

The Chief Justice also referred to the Executive Council a letter from J. W. Jones, Court Stenographer asking that his salary be increased.

A general discussion followed on provisions to recommend in the new Constitution.

Adjourned

William Smith

Executive Council.

April 5. 1894

Present President Dole and Ministers King, Harmon and Smith.

Mr Dole presented a petition for pardon from J. W. H. Isaac Kike, now a prisoner at Volcano Road jail, also a report from Chief Justice Judd advising against granting the pardon.

Decided to refer it to the Advisory Council.

Mr Dole presented a bill from E. C. Hall & Son for \$482⁸⁵ for arms and ammunition for Main Citizens Guard, as heretofore ordered.

Voted to refer the bill to the Advisory Council.

Mr Dole spoke of a reduction in the military service, and that by placing two special policemen, as watchmen, at \$60 a month each it will save twelve soldiers.

It was voted to make the change.

The matter of gazetting the 11th June as a Holiday was brought up, and it was voted to gazette it.

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Change of Name of North Pacific Phosphate & Fertilizing Company. Mr King presented a petition from the North Pacific Phosphate & Fertilizer Co. to grant an amendment of the Charter of the Company, changing its name to the "Pacific Phosphate & Fertilizer Company."

It was voted to consent to the amendment.

Captain(?) The matter of J. B. Murray's urgent desire to be retained as Captain of Special Police was mentioned — But it was decided that no appointments should be made for political purposes.
Adjourned.

William Smith

Executive Council

April 9. 1894

Present President Dole and Ministers King, Damon & Smith.

Petition Mr Dole presented a petition from one Malua Malua for assistance; stating that he was injured for an explosion while in government employ on the road work, and disabled.

Referred to Minister King.

Resignation Mr Dole presented the resignation of Geo. Ross as Auditor General, to take effect April 30. 1894.
Ross. Voted to accept the resignation.

Maternity Home Mr Dole presented a letter from the Secretary of the Maternity Home, thanking for use of flags and prisoners at the recent loan.

Objections to Malokai of persons appointed as Inspectors of Election Malokai, and stating that unless a change

is made they will

Minister King presented petition of J. W. Kaluagawa, of Manoa, Oahu, in regard to his claim to certain land in Manoa and 14 acres. The land is in controversy between him and the government and he proposes that on receipt of a Royal Patent for 14 acres that he will quit claim the balance to the government.

Minister King presented request of R. W. Meyers, on behalf of B. P. Bishop Estate, to lease the land of Hoolihua, Molokai, for 25 years at \$100 per year. The land is pasture land, and without water, area 3736 acres.

The report from the Survey Department recommends a 10 year lease at \$250. per year.

Voted to sell the lease for 15 years, at upset annual rental of \$250., reserving privilege of taking any part or all of it for homestead purposes, rent to be reduced accordingly.

Minister King also presented request of Samuel Kauchane, to lease the land of Manoha, Kau, Hawaii, for 10 or 15 years at \$50 per annum, area 13500 acres more or less.

The Survey Department report the land to be mainly covered with lava flows, and recommend a leasing from year to year at \$50 per year.

Minister King also presented a request from A. G. Correa to lease a lot at Makiki, Honolulu, 1 1/2 acres, offering \$25 rent for 15 years.

Survey Department reported against the application, but recommending a leasing from year to year.

Voted to refuse application.

Mr Damon spoke of the importance of giving J. W. Kalua some appointment. He had been loyal to the government under very trying circumstances, and had suffered in business and otherwise by so doing.

Mr Smith said he was about to bring up the

subject; that some of the Mani people favored his appointment as Sheriff in place of S. J. Chillingworth. But the question was whether it was wise to appoint him while Kapaemahu was Circuit Judge, and the Magistrates at Wailuku and Makawao both being Hawaiian. Mr Smith said he intended to write to Marshal Hitchcock at Siles about it.

Govt. Mr Damon stated that he and Minister King
Works have been discussing the ways and means for pre-
serving certain public works, to follow the
building, viz: Pumping Plant for Honolulu;
laying of 12 inch pipe from King St. bridge to
Kawaiahao; and building slip for steamships
near the new market.

Payments in Mr Damon proposed that he give notice that
 specie hereafter payments might be made to the Govt
 $\frac{1}{2}$ Gold and $\frac{1}{2}$ silver, instead as of heretofore $\frac{3}{4}$ Gold
 and $\frac{1}{4}$ Silver.

Mr Dale said he would much rather that he would pay out $\frac{3}{4}$ Gold instead of $\frac{1}{2}$ Gold at present.

Further objection being raised to Mr Damon's proposition, he withdrew it.

Royalist Mass-Meeting. Mr Smith stated that he had arranged to h. a full report of the proceedings at the Royalist Mass Meeting to be held at Palace Square tonight.

Also that he had arranged for Dr N. B. Emers
Physician to be appointed Physician for Oahu Prison, at
Oahu Prison \$50 per month; Dr Cooper retaining the Police
Station and Police Department at \$50 per month.

Adjourned

William Smith

Executive Council.
April 12. 1894.

Present President Dole, ^{and} Ministers Hatch,
 King, Damon ^{and} Smith.

Correspondence ^{and} dispatches from Washington
 in ^{the} "Mariposa", this A.M. were read, covering dates
 from March 16. to 28th and a dispatch from
 Consul Wilder stating that Thurston plans to
 return to Honolulu on S.S. "Australia" to arrive
 April 21st

Adjourned

William O. Smith

Executive Council.
April 14. 1894.

Present, Ministers Hatch, King, Damon ^{and} Smith.
 also by invitation Messrs C. Balle, H. P. Glade
 and J. M. Swanzy, Committee of the Planters Land Co.
 A letter from Mr. G. E. Boardman of which the
 following is a copy was presented:
 Honolulu April 13. 1894.

His Excellency W. O. Smith.

Attorney General, Provisional Government
 of Hawaii

Sir:

The undersigned having received applications
 for a number of Japanese Contract Laborers, would
 most respectfully ask if the Provisional Government
 will have any objection to his importing any
 number of persons that may be required by
 plantations, under the contract found in the
 annexed contract, as long as he complies with
 the law recently passed, applying to paupers,
 vagabonds, criminals, diseased persons, etc etc.

He is informed that the planters will be in
 great need of labor very shortly, and it is

quite important that a reasonable sum be at hand when the present contracts expire.

The undersigned being a citizen and son of this country makes this request with the feeling that he will not be refused, as conditions are so favorable. As the agent his employ wishes to fortify himself as an independent recruiter before he returns to join the "S. S. China" an early consideration and reply will be greatly appreciated. Many of details are omitted from this communication as you are already conversant with them.

I have the honor to be, Sir

Your obedient servant

G. E. Boardman

P. S. Laborers to come under the original treaty and not under the labor convention, and are to be contracted for on arrival here.

Government assumes nothing

G. E. Boardman."

Immigration Mr Smith was instructed to reply that I am emigrants from any country ^{could come to this country.} excepting Chinese construed (who must comply with the special statute relating to them) and those who come within the undesignated classes named in Act 66, of the Provisional Government. That the Hawaiian Government can only engage in Japanese immigration under the Labor Convention with Japan.

Mr Firth's The next matter presented was the following proposition from the Board of Immigration to import "The Trustees of the Planters Labor & Supply Co. Labor from Beluchistan" desiring to import some 500 or more natives of Beluchistan as laborers on sugar and rice estates in these Islands, ask that the same be approved by the Board of Immigration and that they be imported through or under the auspices of the Board the same as Japanese and under Laborers in the past.

It was stated that a Mr Firth had made a proposition to seek to bring such Indian (or Lascar) laborers.

After a full discussion of the subject, and the want of information as to the character of the laborers, the authorities to be dealt with in their country, and the limited acquaintance had with Mr Firth, it was suggested that it might be better for the planters to send some suitable person from here with authority to act; - that some more definite and full communication be made by the Planters Labor Supply Co., to the Government, and then a definite reply could be made.

Mr Damon spoke of the unsatisfactory progress made from time to time in immigration matters and said he thought more would be accomplished if the Board of Immigration were reorganized, and some person chosen as head of the executive officer or agent who should be charged with the responsibility in all such matters. He presented the following:

"Proposition by S. M. Damon, Minister of Finance to hasten the importation of laborers and to simplify the method of communication between planters and others requiring laborers and the Government.

Planters and others requiring laborers to send in their application to the President of the Board of Immigration as usual, who shall refer it to the full Board.

The Board of Immigration shall conduct the entire work of immigration submitting their plans rules and agents to the Executive Council for approval.

The Board of Immigration to select one of their number as the Executive agent and through whom all correspondence shall be

carried on.

The Executive will cooperate with agent of the Board to facilitate any proposed

Adjourned

William Smith

Executive Council

April 16. 1894.

Present, President Dole and Ministers King, Damon and Smith.

Government Mr C. L. Carter on behalf of the American Officers Party, asked the opinion of the Executive Council as to the propriety of Government Officers being elected as delegates to the convention. After a discussion Mr Carter was informed that, while the Executive Council knew of a provision of law which made it illegal for a government officer to be a delegate to the convention, they deemed it impolitic and unwise to elect such officers.

Admiral Mr Hatch stated that Admiral Walker had signified his desire to call on the Governor he had made the appointment for tomorrow noon.

Pet for refund Mr Dole presented a petition from Panelua of Fine of South Kona, that he be refunded him, for a fine he had been compelled to pay illegally. Referred to the Attorney General to investigate facts and report.

French Consul Mr Hatch stated that he had received a letter from Mons. Verleye stating that Mons. Vissac French Consul etc was about leaving the Com.

and he (Verleye) acting under instructions from the French Government, had taken possession of the Consulate etc.

Mr Hatch stated that, before Mons Verleye called, he (Hatch) had sent his secretary, Potter, to ask for a copy of his credentials, that Potter was told by Verleye that he had none but would call and explain.

When Verleye called he talked a great deal but said he had not credentials, but must be "neutral" till affairs were settled here.

Mr Hatch told him he could not receive his exequator until he had presented credentials etc.

Mr Hatch also presented a draft of a letter he proposed to send in reply which was approved by the council and it was suggested that copies be sent to our representatives at Paris and Washington.

Mr Hatch presented a letter from the Portuguese League asking if taking the oath required of voters for delegates to the Constitutional Convention would deprive Portuguese of their allegiance to their home government.

Also draft of a reply stating that the oath was not an oath of naturalization and would not be deemed by the Provisional Government to deprive them of the protection of their own government.

Mr Smith stated that he and the Minister of Interior planned to go to the leper settlement at Molokai, with members of the Board of Health, tonight, to return on Wednesday morning.

Adjourned.

William Smith

Executive Council.

April 18. 1894.

Present: President Dole and Ministers King
Damon and Smith.

The following communication was received
Honolulu April 18. 1894
To the Executive Council of the Provisional Government
Gentlemen,

Should
Government of the American Union Party have understood
Officials that it was the desire of the Government
be elected that no government officer should be
to the elected as a delegate to the Constitutional
Constitutional Convention, the question having been raised
Convention as to the correctness of this understanding
I beg to ask what the views of the Executive
Council are upon the subject

I have the honor to be your obedient servant

James A. Kennedy, Chairman C.E.

The following reply was directed to be sent
Office of the Attorney General
Honolulu April 18. 1894

James A. Kennedy Esq.

Chairman Central Executive Committee
American Union Party.

Sir: In reply to your communication
of this day asking if it is the desire of
government that government officers
should be elected as delegates to the
Constitutional Convention, I would state

That the Government does not desire
that Government Officials be elected as
delegates to the Convention; if such
however are elected we do not understand
that they will not be disqualified from
sitting as members of the Convention.

I have the honor to be your obedient servant

The Minister King presented a letter from
 in Gonçalves and Co, stating that a party at
 in Kona, Hawaii has made wine from grapes
 grown at Kona who wishes to sell it to
 them, and asking if the law will permit
 such sale.

Referred to the Attorney General

Adjourned

William O. Smith

Executive Council.

April 20. 1894.

Present President Dale & Ministers King,
 Damon and Smith.

Mr Dale stated that Mr Woodhouse, British Com-
 missioner, had called upon him yesterday,
Island and unofficially stated that the British Government
 wished to occupy Necker Island as a cable
 station, with privilege of connecting with Honolulu.

It was decided that a letter be sent to Mr Woodhouse
 from the Foreign Office referring to the conversation
 and stating that upon receipt of a written
 proposition the government will take it
 under consideration.

Voted, to recommend an appropriation of a
 pension for Mrs Mary Powell Stolz, widow of
 Deputy Sheriff Stolz, killed in performance of duty.
 As his salary was \$90⁰⁰ per month to recommend
 \$30 per month, and to present an Act providing for it,
 and conditioned upon her remaining single.

The matter of the \$1500. advanced to the Agents
 of the "Miomira" was discussed and the
 Minister of Finance was requested to call
 attention of the Agents (J. H. Davies & Co) to the

matter, and ask if the money has been repaid.

Habeas Corpus Act - Mr Smith presented a draft of an amendment to the Statute relating to Habeas Corpus, which he wished to present, to meet the defect found by the Supreme Court.

Adjourned

W.O. Smith

Executive Council April 23. 1894.

Present President Dole, ^{and} Ministers Hatch, King, Damon and Smith, also Minister Thurston who returned last Saturday from Washington.

Portuguese Immigration - Mr Dole presented the matter of Portuguese Immigration, and correspondence with Mr Hutchinson, of M.A. Goncalves & Co, in relation to his proposed visit to the Azores.

After discussion it was decided to invite the Committee of the Planters Labor Supply to meet the Cabinet tomorrow at 11 am.

Emmeluth's Case - The matter of Councillor Emmeluth's refusal to take the oath and register, was discussed.

Necker Island - Mr Dole brought up again the matter of Necker Island as a cable station, and presented Mr Anders report of the title of the Hawaiian Government to the Island. A draft of letter to Mr Woodhouse, British Commissioner was read and discussed.

French Consul - Mr Hatch presented another communication from Mons. Verley, upon the subject of

his desire to be recognized as French Consul etc.

Mr. Damon proposed that he be allowed to present a Bill authorizing the issuing of Revenue Notes to the amount of \$100,000. payable in three, six, and nine months, to meet current expenses.

It was decided to have a meeting on Friday, at 10 a.m. to consider the matter.

M. Q. Smith

Executive Council.

April 24. 1894.

Present, President Dole and Ministers King, Damon and Smith. also the following members of the Planters L^{td} S. Co. W. G. Irwin, J. A. Schaefer, J. B. Atherton, C. Bolte, J. M. Swanzy, H. A. Glade, and Gust. Robertson.

Mr. Dole stated that the meeting was called for the purpose of considering the matter of Portuguese Immigration, and read the proposition of E. Hutchison, under date of April 20th as follows:

"His Excellency, S. B. Dole, President of the Provisional Government of the Hawaiian Islands
Sir;

In compliance with your request for information as to probable expense I should incur in investigating for this Government the possibilities of further Portuguese Immigration from the Azores, Madeira or Portugal.

I would say that as my own affairs take me to Madeira and my route through Portugal, I have based my calculations on the expense of the trip to the Azores.

For the sum of Two Hundred and Fifty Dollars (\$250) I will undertake to attend to any business in the places mentioned, in connection with immigration with which the Government may intrust me. This is estimated to cover actual extra expenses in this connection which is all I should. I could not undertake to travel direct to my destination but might be two or three months on the way."

Agent of
Bureau of
Immigration
Recommended

Mr Dale stated that the Government desired to further the immigration in reasonable ways; by authorizing some suitable person as agent of the Bureau of Immigration.

A full discussion followed, and the Planters Co. indicated that they would take action in the matter.

It was suggested that perhaps by offering Mr Hutchison a somewhat larger amount he might be willing to go more directly to the Azores and report sooner.

Adjourned

M. O. Smith.

Executive Council.
April 26. 1894.

Present President Dale, and Ministers Hatch, King and Smith.

Stenographer

Mr Smith stated that Mr J. W. Jones, the Court Stenographer, was very desirous to have a reconsideration of the item of his salary in the Appropriation Bill.

After discussion it was decided that the Bill having passed the third reading the Cabinet would not favor a reopening of the Bill, although the engrossed copy is to come up for final passage to-day.

The matter of the reply to Mons Vorlage was again discussed; Mr Hatch favoring the position that he would unofficially transact any business with him that might arise, pending the receipt of his credentials.

This was approved.

Mr Hatch stated that Mr Woodhouse, British Commissioner, called on him this morning and asked what was meant, in his reply (relating to Hecker Island) by "terms and conditions" etc.

Adjourned

W.O. Smith

Executive Council.

April 27. 1894.

Present - President Dale and Ministers Hatch, King, Damon and Smith.

Also by invitation Messrs A.S. Judd, L.A. Thurston, W.N. Armstrong, J.B. McStocker, J.A. Kennedy, W.C. Wilder, M.D. Alexander, C.L. Carter, W.R. Castle, A.S. Hartwell.

The matter of certain salient features of the proposed constitution were discussed -

The first being the matter of extending the suffrage to women.

After a general discussion a vote was taken as to the sense of those present, resulting as follows,

To postpone consideration	6.
Not to postpone	5.
Not voting	<u>4.</u> = 15.
On favoring of giving suffrage	4
Opposed	7
Not voting	4 = 15.

Qualifications
of
Electors

On the matter of qualifications of electors the first question discussed was: shall the franchise be limited to citizens and to those who have registered for delegates to the Constitutional Convention and persons who have.

Qualifications
of
Electors
Lower
House

The next question was: shall the Lower House be elected by citizens and all persons who have registered to vote for delegates to the Constitutional Convention, and persons who have registered for voting under the Constitution of 1857 - New voters to be subject to ability, understandingly to speak and write the English language, or Hawaiian question of Chinese not now considered.

On this question the vote stood Aye 8

No 3 =

Upper
House

The next question was: Shall the Upper House be elected by residents under high property and educational qualifications - matter of Chinese not now considered.

Vote Aye
No

9.
2 ~ 11

W. O. Smith

Executive Council.
April 28. 1894.

Present - President Dole, and Ministers Hatch, King and Smith.

Convention

Also by invitation Messrs W. B. Wilder, W. D. Dole, J. A. Kennedy, L. A. Thurston, A. S. Judd, Cecil B. W. N. Armstrong, A. S. Hartwell and W. R. Castle.

Mr Dole asked the opinion of those present to the advisability of inviting H. N. Castle, Editor of the P. O. Advertiser and W. G. Smith, Editor of the to be present at the meetings.

It was decided but not to invite them.

A brief discussion was held on the question yesterday, in regard to the qualification of electors.

The next question was as to the method of electing the President.

After discussion the following questions were put:

1st Shall the President & Vice President be elected by the people.

Aye	—
No	13

2nd Shall the President & Vice President be elected by the Upper House

Aye	4
No	8 — 12

3rd Shall the President & Vice President be elected by both Houses voting together.

Aye	10
No	3 — 13

4th Shall members of the Lower House be elected by cumulative vote.

Aye	13
No	— 13

On the question of the number of members for each House.

Unanimously voted to recommend 15 members for each House.

On the question of how often Sessions of the Legislature should meet, it was voted to recommend Biennial Sessions, on a vote of 10 to 3.

On the subject of frequency of elections for Lower House — it was decided to give further consideration.

Adjourned to Monday, April 30. at 1²⁸ P.M.

W.O. Smith

Executive Council.

April 30. 1894.

Present President Dole and Ministers Nathan Kung, Damon and Smith.

The matter of the remaining Appropriation Bills was discussed.

Band

Mr Hatch stated that the expenses of the Band for April has overrun by \$164.50.

Police

Mr Smith stated that the Police of Oahu has overrun \$1110.99 and Detective Service \$237. April.

It was voted to authorize the drawing of the several sums.

Close Saloons

Election Day

Voted to close the liquor saloons and jobs and wholesale liquor stores on election day.

Proposition

to

Borrow

Money

Mr Damon spoke of the necessity which will probably arise of borrowing money temporarily during the coming period, and recommending an Act be prepared authorizing that to use \$100,000, on Treasury Notes, for terms of not more than one month and not more than nine months and at interest at the rate of not more than one per cent per month — and to advertise for tenders.

The proposition was approved with the understanding that the Bill should not be presented until approved by the Executive Council.

App to buy
Land at
Manoa

The application of W. Ping Chong to buy a parcel of land of about 10 $\frac{1}{2}$ acres Government land at Kaunaloa, Manoa, Oahu at an upset price of \$15 per acre, was approved. To be sold at Auction.

Denization
request

Mr Hatch presented the requests of Thomas Harrison, and Chang Kim for letters of denization. Action was deferred.

Mr Smith stated that Mr W. Maertens wished to become naturalized.

It was deemed that the law requires amendment before 'naturalization' can be granted.

Adjourned

W. O. Smith

Executive Council.

April 30. 1894 - 1.30 P.M.

Present President Dole 3d Ministers King
Damon and Smith,

Also by invitation W. B. Wilder, A. F. Judd,
W. D. Alexander, L. A. Thurston, A. S. Hartwell, W. H. Arm-
strong, J. A. Kennedy, W. R. Castle, J. B. McStocker and
W. G. Smith.

Mr Dole again spoke of the question of inviting
the editors of the P. O. Advertiser and Star. to attend
these meetings. It was voted to invite them.

The next question was as to the term of office of
members of Lower House. One motion that the
first election for Lower House be for four years,
the vote stood

Aye	6.
No	6. = 12

The next question was: shall apportionment of
representations be based on voting or real population.
The sense of the meeting was to divide the country
into five districts: Hawaii, Maui, Oahu I.,
and Kauai and each to have three representatives
to be elected by a cumulative vote.

For the Upper House to have the same representation
as the Lower House, but to be elected by
districts without the cumulative vote.

The question as to barring Chinese from
voting under any qualification, was discussed.
A vote by those present in favoring
barring them resulted Aye 8. No 2. total 10.

On motion the Chair appointed a committee of Messrs Thurston, Armstrong and Kennedy, to draft a series of questions to be given to delegates and to be published upon these and kindred subjects.

Adjourned to meet Wednesday P.M.

W.O. Smith

Executive Council
May 2. 1894.

Present, President Dole & Ministers Hatch &
Also Messrs Thurston, Alexander, Hartwell,
McBrown, Armstrong, Kennedy, Judd, W.R. Cooch
and W. Stocker.

Chinese + Japanese Suffrage The question of granting the franchise to Japanese and Chinese was again discussed. And it was suggested that in addition to the property qualification etc to limit the franchise to "All residents of countries, the governments of which permit citizens of Hawaii to reside and do business in such countries with the privileges of residence and citizenship as are granted to the subjects of such governments."

Cabinet The next question was: How shall the members of the Cabinet be appointed and removed? After discussion the following questions were voted on.
1st Shall the President have the power to appoint the Cabinet subject to the approval of the Senate? Aye 11
No — — 11
2nd Shall the President have the sole power of removing the Cabinet
Aye 4. No 6 Total 10.

3rd Shall the President have the power to remove the Cabinet only upon approval of the Senate?

Aye 6

No 3 = 9.

On the question of veto.

Shall the President alone have the power to sign as well as veto Bills passed by the Legislature?

First part carried by a vote of nine.
Second passed 6 to 2.

On the question of the Cabinet sitting in the Houses. Shall the Cabinet be ex-officio members of both houses, question of voting etc reserved
Passed 8 to 2.

Shall they be allowed to vote?

Last by 4 or 5 votes.

Adjourned.

W.O. Smith

Executive Council.

May 3, 1894.

Present President Dale and Ministers Hatch, King, Damon and Smith.

Mr Dale presented the Biennial Report of the Chief Justice. It was decided to present it to the Council today.

Mr Dale stated that the Commission of Judge Hardy Circuit Judge of the 5th District expires on the 17th day of this month.

Voted to issue a new Commission to him.

In the matter of the application of Henry Laws for letters of Denization, it was voted to grant such letters to him as of May 1st 1894

Approp. Military. Mr Dale presented the report of Lieut. Fisher upon the Appropriation required for the Military establishment, amounting \$209,520. for the two years.
Voted to present a Bill for the amount to the Councils.

John M. Radway. Mr Smith brought the matter of the urgent appeals made to him by the friends of John M. Radway (charged with embezzlement of Office funds at Hanalei, Kauai) to enter a nolle prosequi in his case. The deficit in his accounts was about \$3500. which will be paid up. His accounts were true and correct. Authorized to show the amount due, and there was no evidence of fraudulent intent and he had been in prison five months.

Nolle Pros. It was agreed that under the circumstances and precedents the Attorney General would be justified in exercising the discretion and enter a nolle prosequi.

Adjourned

W. O. Smith

Executive Council.

May 4. 1894.

Present President Dale and Ministers H. King, Damon and Smith.

Road to Kaiwicki. The matter of the proposition of the Hilo & Kaiwicki in regard to the opening and extending a new road over the lands of the Company to the Straits Kaiwicki Homesteads, and Mr Dodge's report considered. It was decided to invite Mr. G. Irwin to meet the Council tomorrow at 10 AM, and discuss the proposition to an even exchange of the two rights of way.

The next matter taken up was Mr Lubenstein's proposition to change the course of the Puna Road, so that it will branch off from the Volcano Road at the 14 mile post, instead of the 9 mile post as at present.

The matter having been referred to Mr Dodge for examination and report, Mr Dodge's report under date of March 28th was read, in which he reported against the proposition; but recommended the adoption of the trail previously surveyed with slight changes.

Mr Dodge's report was adopted.

Consideration was given to the general proposition of road improvements in the districts of Puna and Kona.

Adjourned.

W. O. Smith

Executive Council

May 4. 1894. 1³⁰ P.M.

Present: President Dole and Ministers Hatch, Damon and Smith. and by invitation Messrs L. A. Thurston, W. N. Armstrong, A. J. Fudd, W. D. Alexander, J. A. Kennedy, H. F. Castle, J. B. Westicker and W. F. Castle.

The first question discussed was: Shall the Executive have the summary power of suppressing revolutionary publications; and of deporting dangerous persons?

After discussion the vote stood Aye 1 No 11 = 12

Shall provision be made for trials of offenses of a political character before the Supreme Court without trial by jury?

The vote stood Aye 10. No. 0 = 10

Shall there be a permanent appropriation Bill?

Permanent
Appropriation
Bill.

The vote stood 9 unanimous in favor

No appointments
by President
Alone

Shall main appointments under the Executive Departments be made directly by the President
Aye 0. No 10 - - 10

By
Nomination

Shall they be made ^{on nomination} by heads of Departments
Aye 7 No 0 - - 7

Executive
empowered
to
Negotiate
Treaty

The next question was:
Shall the Executive have the authority to negotiate a treaty of political union with the United States of America and have the Senate authority to carry into effect a Treaty - Vote Aye 9 No 0 - - 9

The next question was:
Shall there be any local self government so far as towns and roads are concerned
No vote taken.

Executive
to continue to vote necessary appropriations should the
appropriation

The next question was:
In case the Legislature should refuse to continue to vote necessary appropriations should the Executive Council have the authority to continue necessary expenditures under the appropriations of the previous Appropriation Bills?

Aye 8. No 0 - - 8

Adjourned to meet Wednesday 1st 9 P.M.

W.O. Smith

Executive Council.

May 5. 1894

Present President Dole and Ministers King,
Dawson and Smith. also
Mr. G. Irwin and J. S. Dodge.

The matter of the Kairiki Homestead Road and proposed exchange was again discussed.

The following proposition was made to Mr. Irwin:

For the offer made by the Kalo Sugar Co., the Government will guarantee the six foot right of way through Kairiki; will grant the small land near the Government Road; will procure permanent right of way through 1200 feet of grant N^o 1044, on the understanding that if the Plantation purchases the whole of such grant it will give such right of way and open a road through Alae for the use of the Homesteads, and will keep the road made by the Plantation as a government road.

Mr. Smith again brought up the matter of the Railway embezzlement case, and stated that the judges felt opposed to the proposition to nolle prosequi the case.

W. O. Smith

Executive Council.

May 12. 1894.

Present President Dole, and Ministers Hatch, King, Dawson and Smith.

It was voted to approve the appointment of Mr. H. A. Glade Esq., as Consul General and Charge d'affaires at Berlin, Germany.

Mr. Glade has been Naturalized as a Hawaiian subject
adjourned

Executive Council

May 14. 1894.

Present President Dole and Ministers
Hatch, King, Damon and Smith

Japanese Mr Hatch read the draft of a letter in protest to Mr Fujii, Japanese Consul, in relation against the protest against the introduction of Chinese Immigration.

Mr Hatch presented and read a communication from Mr Fujii, under date of May 10th stating by Imperial Decree, dated May 10. 1894, the Japanese Government grants the special privilege of residence to in and pursuing all lawful avocations in Hawaiian part of the dominion of the Japanese Empire in Japan the people of Hawaii.

Mr R. W. Inoué, Hawaiian Minister at Yokohama came in at this point, having this morning arrived from Japan.

Franchise He stated that if hereafter there is no discrimination against Japanese the immigration to Japanese would continue, otherwise it would be discontinued. That he had dispatches from the Minister of Foreign Affairs which he would present tomorrow.

He said having citizenship a qualification for voting will settle the Japanese claim of the franchise, and be satisfactory to the Japanese Government.

The Japanese Government would not recognize the naturalization of a Japanese in Hawaii.

That the discrimination between Japanese and Europeans was the only objection
Adjourned.

W. O. Smith

Executive Council.

May 14. 1894.

Present President Dole and Ministers Hatch, King, and Smith. and Messrs L. A. Thurston, A. F. Judd, W. D. Alexander, W. H. Armstrong, A. G. M. Robertson, C. F. Carter, H. N. Castle, J. B. McStocker and A. S. Hartwell.

Mr Hartwell reported on behalf of special committee on Article 53, recommending that the officers disqualifying elections, be enumerated more fully. Judge Judd also presented recommendations. The committees were given farther time to report.

Mr Thurston on behalf of a special committee presented a list of questions to be sent to the delegates and for publication.

The question of the wisdom of sending out the questions was discussed.

On motion the matter was laid on the table.

The question as to recommissioning the officers of the government upon the adoption of the constitution, was discussed.

Mr Smith was asked to draft a provision that all government officers be recommissioned or their successors be appointed on or before a date certain.

Articles 54 and 55 were approved

Article 56 was amended by providing that the Legislature shall convene biennially in the month of February and changing "two days" to "three days"

Articles 57 and 58 were approved.

Article 59 was amended to read —

Article 60 was discussed. Pending discussion the meeting was adjourned to meet tomorrow at 1:30 p.m.

W. D. Smith

Executive Council.

May 15. 1894.

Present President Dale and Ministers Hatch, King, Damon and Smith. Also Messrs. L. A. Thurston, A. S. Judd, W. H. Armstrong, W. D. Alexander, J. B. McStocker, J. A. Kennedy and A. G. M. Robertson, & W. S. Hartwell -

Japanese Mr Hatch read a communication from the Japanese Minister of Foreign Affairs to Mr R. H. Irwin, under date of _____ upon the subject of discrimination against Japanese subjects.

New Constitution Mr Hartwell presented a report on Art. 53 in regard to persons to be disqualified from voting or holding office on account of crime etc. The report was adopted.

Mr Thurston moves that the Legislature be permitted to eliminate the Hawaiian language, as a qualification for House of Representatives (with Art. 53 Question raised as to the words "shall be laid over".

Art. 62 Mr Hatch proposes that those who part in forming the Republic shall be deemed citizens.

Mr Thurston moves that Mr Hatch's proposition be adopted as a principle. It is as follows: "Citizens; all persons who were citizens of _____ at the time of the establishment of the Provisional Government, and all persons domiciled in _____ who have taken part in the formation of the present government, shall be deemed citizens of the Republic". "Provided however that such of the persons last named as do not desire to renounce their native allegiance, shall be y

special letters of denization in consideration of services rendered, which letters shall confer all of the rights and privileges of citizenship for such period as the holder may remain domiciled in Hawaii."

Mr Damon, urges that Chinese and Japanese should be represented in the government, that they should have the opportunity to be heard.

Mr McStocker thinks that the people who support the government will oppose this.

Mr Dole asks would the radicals allow a few Japanese and Chinese to vote.

Mr McStocker - The radicals are afraid of the Asiatics.

Mr Hatch - If we do not abandon union with the United States we must drop the Asiatics. My plan excludes them. Let Judge of the Supreme Court examine the qualifications of voters.

Mr Hartwell - Glad that there should be no discrimination, likes Damon's talk.

Mr Armstrong suggested that large bodies of men, like the Chinese or Japanese should have some way of reaching the government, some committees of their own who can be intermediaries without legal powers but can express their sentiments; too important to be left to themselves they will be heard in some way.

Mr Kennedy says the radical element is alarmed at the Japanese getting the franchise; they suspect that the Government will do something hostile to them; are combining now to oppose them.

Judge Robertson - Asiatics must be shut out; convention will shut them out; must be done.

Mr Thurston moves to have matter referred to a Committee to report.

Referred to Mr Hatch to draft clear his principle.

Adopted.

Sec 7 (62) Mr Thurston wishes Portuguese to vote, have been good supporters of the Government.

Mr Hartwell - thinks that Government which excludes

them "beneath contempt."

Mr Mr Stocker; would like to see the Portuguese qualify; the ignorant vote is dangerous; portion of them defeated Union Candidates; denizen may include them.

Prof. Alexander - I believe in the Portuguese. The Consul has stood by us.

Judge Robertson - We need the help of the Portuguese. They will shut out those who have not registered and those coming.

L. A. Thurston - We made a failure in 1884 - We to do with low grade voters. Boards will be too lenient in examinations, instead of being too strict. We should fix the qualification high.

Mr Hartwell - moves to strike out all of Sec 7.

Adjourned to meet May 16. 1894.

W. O. Smith

Executive Council.

May 10. 1894.

Present President Dole & Ministers Hatch & King

Call for Convention The matter of the date for calling the Convention was discussed. It was decided to call it to meet May 30th 1894.

Minister King brought up the matter of application for the Kanmame lots at Silo.

Voted to approve the sale subject to such conditions in regard to improvements and alienation as Mr Dole shall provide

Japanese Immigration Mr Hatch presented a telegram from Q. M. Dr. from Yokohama stating that the 26th shipment of Japanese immigrants is to leave Japan, for

Adjourned:

W. O. Smith

Executive Council

May 9. 1894. 1³⁰ PM.

Present President Dole & Ministers Hatch,
Krug, Darnow and Smith.

And by invitation, L. A. Thurston, W. H. Armstrong,
Cecil Brown, W. C. Wilder, A. J. Judd, H. B. Castle,
J. A. Kennedy, W. H. Castle, J. B. McStocker, W. D. Alexander
& A. S. Hartwell.

Mr Dole presented the draft of the Constitutional
provisions relating to the Legislative Branch of the
Government, proposed by himself & Mr Thurston.

The meeting proceeded to consider the Articles,
beginning with Art. 27.

An amendment proposed by Mr Brown was
adopted - And the Art. as amended was approved,
changing the term "Assembly" to "House of Representatives".

Art 28. Was amended so as to read
"The Legislature has the power to enact wholesome
laws not inconsistent with the Constitution"

Art 29 Was approved

Art 30 Was approved

Art 31 Was approved

Art 31^a was approved striking out the word
"working" before the word "days".

Art 32 Was approved

Art 33 was amended so as to read "No Bill
shall be introduced into either House, unless it
shall have received thereon the written endorsement
of three elective members of such House.

Every Bill when passed by the House in which
it originated, or in which amendments thereto shall
have been adopted, shall immediately be certified
by the chairman and Clerk and sent to the other
House for consideration"

Art 34 was approved

Art 35 was partially passed, changing "Secretary
of the Treasury" to "Minister of Finance"

and inserting "no Appropriation Bill or Bill providing for a National Loan shall be introduced by any one, except a member of the Cabinet, provided however that any member may introduce a Bill amending the Hawaiian Appropriation Bill for salaries and pay rolls hereinafter provided for."

And in place of the words "ordinary expense" the words "necessary current expense of carrying on the Government and meeting its legal obligations."

The next paragraph of the Bill was postponed for further consideration.

The two last paragraphs were adopted.

Articles 36, 37, 38, 39, 40^{and} 41 were discussed. In Art 37 the following words were stricken out, viz: provided however, that no amendment or revision containing a proposition for the establishment of a monarchical form of government in the Hawaiian Islands shall be allowed to be presented". In order to pass any amendment or revision.

It was voted to comprise Articles 36 to 41, in one Article, dividing it into paragraphs.

Adjourned till Friday at 9 a.m.

W.O. Smith

Executive Council
May 11. 1894.

Present President Dole & Ministers King, Dole and Hatch.

Also by invitation L. A. Thurston, A. S. Judd, W. M. Armstrong, H. D. Alexander, A. B. McStocker, J. A. Kennell, W. R. Castle, H. P. Baldwin, A. S. Hartwell, A. G. M. Roberts.

Mr Armstrong proposed an addition to Art 35, giving power to the Upper House to legislate by itself, upon being convened at the

call of the President with the approval of a majority of the Cabinet, in case of the refusal of the Legislature to enact necessary legislation.

Vote stood Aye 2 No 8 = 10

The proposition to give legislative power to an advisory council of Sen to be elected by the two Houses, every three and majority of three members electing one member, was approved.

Art. 42. was discussed - as to pay of members. Motion to insert a provision that mileage be not allowed was lost.

A motion that the members of the Senate receive pay was carried.

Pay of \$400. for members of each house was carried in a vote of 8 to 3.

Articles 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53

On the proposition to make engagements under labor contracts penally enforceable a disqualification for voting - It was decided to provide this disqualification by a vote of 6 to 4.

On the question of disqualifying "persons who for any cause are deprived by law of any civil right" It was voted to strike out such provision.

It was voted to strike all of paragraph one of Art 53 after the word "vagrancy".

On the question of enumerating the offenses disqualifying an elector the proposed provision was referred to a committee.

Adjourned to Monday at 1³⁰ P.M.

W.D. Smith

1890 - 6 Nov 10 11:00 AM

1890 - 6 Nov 10 11:00 AM

Executive Council
May 16. 1894.

Present President Dole & Ministers Hatch, King and Smith.

Also L. A. Thurston, A. P. Judd, W. B. Wilder, J. A. Kennedy, W. H. Armstrong, A. S. Hartwell, C. L. Carter, H. W. Castle, J. B. McStocker, W. D. Al-

Art. 63 was discussed - Mr. Thurston presented an amended Article

Upon the matter of the terms of office of senators; two views were advocated: one that at the first election the Senators be elected for six years each; the other that they be elected one third for two years; one third for four years and one third for six years.

On question of electing Senators for six year terms at the first election, the vote stood:

Aye 8 No 4 — 12

Art. 64 was amended making five divisions for Senators: 1 on Hawaii, 1 for Maui, Molokai, Lanai; 1 for Oahu; 1 for Kauai.

The distribution of Senators was carried as follows: Hawaii 4, Maui etc 3, Oahu 6, Kauai 2 equal 15.

Art. 65. Was amended by adding \$3000. of property over and above encumbrances, or \$900 income — and striking out the words "and contemporaneous".

Art 66 was amended by inserting "a knowledge of the Hawaiian language as well as of the English", as a qualification. Also by placing the property qualification at ownership of \$5000 or income of \$1800, and striking out the words "one month before". adjourned. W. O. Smith

Executive Council

May 18. 1894.

Present President Dole and Ministers Hatch, King and Smith.

Also Messrs L. A. Thurston, A. S. Judd, W. C. Wilder, W. D. Alexander, J. A. Kennedy, A. S. Hartwell, W. W. Armstrong, S. B. McStocker and A. G. M. Robertson.

Art 67. providing for an Advisory Council of ten members was discussed. — without arriving at a conclusion the meeting proceeded to consider

Art. 68 and in this connection the pardoning power was discussed.

Mr Hartwell proposed that a provision be made that upon the recommendation of the cabinet or of the trial judge pardons may be granted by the President. This proposition did not carry.

On motion an Article was added:

"The President by and with the advice of the Advisory Council, and with the consent of the cabinet, has the power to grant reprieves and pardons, after conviction, for all offenses, except in case of impeachment".

It was moved to strike out the provision giving the Advisory Council legislative power, except to appropriate money.

Vote stood Aye 5 no 6 = 11.

The motion to limit the legislative power as amended by Mr Thurston (see amended copy) passed.

An Article was suggested and adopted to the effect that the Advisory Council shall advise the President for the good of the nation when required by him.

Art 70 was approved

Art. 71 was approved

Judge Judd and Mr Armstrong were appointed a committee to report upon the

proposition to authorize the President to appoint one third of the members of the Advisory Council; and also upon the proposition to provide for the election of a certain number of alien delegates to the Lower House.

The matter of citizenship and naturalization were taken up again and discussed.

Adjourned to meet tomorrow at 130H

W. O. Smith

Executive Council

May 19. 1894.

Present President Dale ^{mod} Ministers Hatch King Damon and Smith.

Also Messrs L. A. Thurston, W. D. Alexander, Cecil Brown, A. G. M. Robertson, J. A. Kennedy, W. N. Armstrong, A. J. Judd, A. S. Hartwell H. M. Castle and J. B. McStaker.

New
Constitution

Mr Dale stated that on further consideration he was not in favor of electing members of the Advisory Council by votes of three members each.

The matter of citizenship was further considered and after discussion action was again deferred.

The subject of Registration of voters was discussed. It was decided to provide a Registration Board of three members in each division.

The matter of ratifying the constitution

was at this point discussed.

It was voted not now to incorporate any provision as to method of ratification.

The remaining provisions relating to Registration were considered.

The matters of recommissioning all Government Officers, and assuming all bonds, obligations etc and confirming treaties and statutes were considered.

Adjourned to meet Monday 1st PM,

M. O. Smith

Executive Council May 21 1894.

Present President Dale & Ministers Hatch, King, Darnon, and Smith.

Also Messrs W. G. Irwin & J. A. Scott of Wainaku, Hilo.

The matter of the proposed road to the Kaiwiki Homesteads was discussed.

Mr Scott urged the justice of the Government paying for a part of the road made by the Hilo Sug. Co.

It was finally agreed that the Hilo Sug. Co transfer to the Government the road already made and the Government to open and care for it as a public road; the Government to quit claim to the Company the right of way through Kaiwiki; to grant to the Company the small remnants of land in the Plantation; the Government to engage the Company to assist in the extension of the road to Homestead line in condition to the satisfaction of the Government at a cost to the Government of not more than \$3500, and to

procure right of way through grant^{to} Plantation to furnish such right of way if they obtain possession of such grant.

Approp.
Bill
for
Departments

Mr Damon presented the Departmental Appropriation Bill.

The first question being whether the estimated expenditures shall be confined to the estimated receipts.

The Bill was examined and reductions to the amount of \$105,000 were proposed.

Magistrates
Honolulu
and
Waialua

It was decided to appoint W.B. Parker as a District Magistrate for Honolulu during Robertsons absence in the Convention.

And to appoint Etelekumiki in place of W.S. Daniels, District Magistrate of Waialua.

Adjourned.

William O. Smith

Executive Council

May 21 1894 - 130 P.M.

Present President Dole & Members Hatch King Damon and Smith.

Also Messrs L.A. Thurston, Mr. N. Armstrong, W.D. Alexander, A. J. Judd, A. G. M. Robertson, A.S. Hartwell, J.B. McStocker and J.A. Kennedy.

New
Constitution

The matter of registration of voters was again taken up and considered, and after correcting the several sections, the provisions were approved.

Arts 67 & 68 were then reconsidered.

Mr Judd presented the report of the committee upon those sections.

It was voted that the Advisory Council consist of 15 members, of whom five shall be elected by the Senate, five by the House of Representatives, and five appointed by the President with the approval of the Cabinet.

The Articles coming under the class of the Bill of Rights were taken up, the subject of jury trials was discussed.

The subject was referred to a Committee consisting of Messrs Judd, Hartwell & Armstrong.

The matters of the provision in regard to annexation to the United States and of the oath to be required by voters and members of the Legislature were not presented.

Adjourned to meet Wednesday at 1³⁰ P.M.

William O. Smith

Executive Council

May 22. 1894.

Present President Dole and Ministers Hatch, Damon and Smith.

Also by invitation Messrs W. G. Irwin, J. A. Schaefer, J. B. Thurston, G. F. Hackfeld, Geo Robertson, A. Young and J. M. Swanzy.

Mr Dole stated that the object of the meeting was to again discuss the immigration and labor questions.

He read to the meeting the letter received from Mr Sugiu, Japanese Consul, under dates of May 5th and 10th relative to the extension of rights of Hawaiians in Japan, and protesting against Chinese immigration to these Islands.

Also a letter from the Japanese Minister of Foreign Affairs to Mr Irwin, Hawaiian Minister in reply to letter from Mr Hatch relating to the franchise.

Also a draft of a reply to Mr Sugiu's letter which Mr Hatch had drafted.

In view of the interruption of Japanese immigration, and the failure to get Chinese the planters were urged to take more prompt and effective steps to reopen Portuguese immigration.

from the Azores and to send some competent and influential man from here to initiate the immigration.

The danger of delay was urged.

Mr Dole stated that the Government would be ready to commission such a person not only as an agent of the Board of Immigration but as a Special Commissioner to negotiate a new convention with Portugal, if it was found necessary or desirable to enter into a new convention.

Labor

The subjects of Portuguese, Chinese and Japanese immigration were discussed at length, and the importance of opening up the Portuguese immigration as another source of supply was emphasized.

At 11.10 the invited gentlemen retired.

Reduction
of
Military
urged

At 11.10 Messrs Emmeluth, D.B. Smith, W. S. Allen and H. Walukhouse, a committee of the Advisory Council on the Military Appropriation Bill were presented.

The Bill calls for \$209,000 for the Biennial Period. Some of the members of the Committee, (notably J. Emmeluth) were desirous of reducing the appropriation to about \$134,000. and to reduce the paid force to one Company at the end of six months.

Mr Dole and members of the Cabinet explained the importance of having a sufficient appropriation and to leave the matter and time of reducing the force till a later period; that it is impossible to determine at this time and to what extent the reduction should be made.

Dismissal
of Col. Soper
urged

The Executive were urged to dismiss Col. Soper from the service for the sake of economy; as because he lacked the necessary qualifications for the office.

The Executive stated they would be willing to have the Appropriation reduced to \$200,000.

and that the advisability of removing Col. Soper should be considered separately.

After full discussion the meeting adjourned at 12 M.

William O. Smith

Executive Council

May 13. 1894

Present President Dole & Ministers Hutch, King and Smith.

Also Messrs. Thurston, Alexander, Judd, Hartwell, C. L. Carter, J. B. McStocker, A. G. M. Robinson, W. H. Armstrong and W. R. Castle.

The proposed Constitution was again discussed.

Mr. Judd presented a report upon the subject of jury trials.

The matter of providing for the trial of certain offenses, such as political offenses, without jury trial was discussed.

It was voted to postpone further consideration until the matter was reached in due order.

Discussion ensued upon Art. 10 Sec. 1 as to "promulgation". No amendments or change being suggested.

The Art. relating to citizenship was then taken up and "including the right of suffrage" in the last part of Sec 2 was by unanimous vote stricken out.

Discussion on the status of children of Hawaiian citizens born abroad resulted in striking out "a child of Hawaiian Citizens temporarily absent born abroad".

The question of who shall be citizens covering naturalized persons was discussed generally.

Citizenship Discussed The importance of the question depends upon the numbers of naturalized Chinese. The general sense of the meeting indicating a repugnance to repudiating the former status of citizens, the words "has been or who shall hereafter" were by vote inserted in place of the word "shall" in the 3^d (2nd) qualification.

The last clause referring to oath was by vote stricken out.

No objection was made to the other sections. The Article relative to naturalization was read and amended as to form of petition in clause 10. also with regard to refugees from justice \$6 also \$7 enlarging the means of support to a lawful income from any source.

Adjourned to meet Friday at 1³⁰ 12th.

William O. Smith

Executive Council.

May 24. 1894 10 am

Present President Dole and Ministers Hatch, Kung, Dawson and Smith.

X
Visit of
Robert Reid
Canadian
Colonial
Conference
How Robert Reid an agent of the government of Victoria, Australia, called informally and conversed in regard to the proposed Canadian and Australian Pacific cable. He stated that he was returning from England and Canada where he had been advocating the laying of the cable, and development of the trade and commerce of the British Colonies.

That a cable from Victoria to Australia would cost about \$9,000,000 and he and his associates hope the Home Government would join with the colonial governments.

and guarantee the interest on the cost for three years. That as a commercial venture it would not pay for many years and the only way means could be raised to enter into the enterprise was by appealing to the national sentiment and pride - to girdle the world with means of communication and transportation. That while the Australian colonies already had cable communication, and there was a highway by way of Suez, in the event of an European war the sinking of a single ship in the Suez Canal would block it and interrupt that channel. in such case the highway through Canada, and the Pacific cable might be of inestimable value. That not only the Australian colonies were interested but it was a matter of moment to the British colonies in Africa.

Mr Reid also spoke of the conference to be held in Ottawa, Canada, next month at which delegates from many of the Colonies would be present, that it would be an important meeting, and would doubtless have great influence upon the Home Government in its policy toward the colonies.

That there was a spirit of enterprise and progress in favor of the development of British commerce which would not submit to a conservative and slow policy on the part of the mother country.

That one object of the conference was to seek to arrive at an agreement by which there would be a uniform tariff system, with preferential duties, among the various colonies. That the subject of the Canadian and Australian cable would receive full and careful attention, that it was their policy to have the cable confined to British territory.

Mr Dole told Mr Reid of the conversation and communication recently had with Mayor Woodhousen with reference to the utilizing of Ncker Island as a cable station and of the desirability of having the cable of a neutral character, so that in case of war communication need not be interrupted, and that it would be feasible to enter into an arrangement by which such a cable could connect with these Islands. That the Government desired to encourage the laying of a Pacific cable to connect these Islands with the American continent. But that it was the declared policy of the Government to form a political union with the United States and we could do nothing detrimental to the interests of the United States.

Hawaii
urged to
and
Represent-
tive.
Mr Reid urged that this Government be represented at the Conference, that great benefit might result. He also stated that certain delegates were probably now en route for the Conference and would arrive in Honolulu on the S.S. 'Arawa' on the 1st prox, among whom would be Sir - Rison, Attorney General of Victoria, Hon. Nicholas Fitzgerald, Hon. Simon Fraser, Hon. - Sutton, Minister of Education of N.S. Wales, Hon. - Forrest, of Queensland - and suggested that we give them some attention.

On the retiring of Mr Reid, Mr Dole referred to the matter of the opening of the Convention next week, and what form and ceremony to have.

Designation
and
Sub-
Also to Mr Sub's contemplated resignation from the Advisory Council
Mr Hatch presented and read copies of letters of May 1st and May 2nd instant.

From R. W. Irwin, Hawaiian Minister at
 Yokohama to the Japanese Minister of
 Foreign Affairs, in which he appeared to
 have made statements in regard to the
 question of granting the franchise in
 Hawaii in stronger than he was authorized
 to make. After further discussion the
 council adjourned.

William O. Smith

Executive Council.
May 25. 1894.

Present Ministers Hatch, King, Danson and
 Smith.

It appearing that the British authorities
 were making investigations at the Survey
 Department and elsewhere in regard to Necker
 Island and that the title of the Hawaiian Government
 to the possession of that Island had been questioned,
 it was voted to commission Capt J. A. King, as
 a special commissioner to proceed to Necker Island
 Lat $23^{\circ} 35' 15''$ N. Long $164^{\circ} 39' 00''$ W, and take
 possession of said Island and raise the
 Hawaiian flag on the same and declare Island
 to be a part of the Hawaiian territory; said
 Island having been claimed by the Hawaiian
 Government as Hawaiian Territory since the
 year A.D. 1845 when an expedition under
 Capt W. Paty was sent to survey said Island.
 Capt King was authorized to charter the
 str. 'Iwalani' to convey him to said Island
 and return.

The application of Milton J. Flood, a scientist
 of Malden, Mass. for permission to shoot birds
 for scientific purposes was presented.

Voted to reply to him that he may shoot not to exceed three birds of each kind on Government land - that he cannot shoot on private property without consent of owners.

Adjourned

William O. Smith

Executive Council

May 25, 1894 - 1:30 P.M.

Present President Hale and Ministers Hatch and Smith.

Also Messrs Thurston, Judd, Alexander, Hartwell, Armstrong, Kennedy and McStocker.

New Constitution The following Articles of the Constitution were discussed and approved.

Arts 1. & 2. Art. 3 was amended. Art 4. was amended. Art. 5 was amended by adding a provision that persons unlawfully entering the Republic shall not as of right be entitled to the writ of habeas corpus.

Art. 6 was amended by substituting the word "by" for "in".

Art. 7 was amended by adding after the word "indictment" the words "information" or "complaint" And adding another Article 7th relating to juries and the composition of juries.

Art. 8 was amended.

Articles 9. 10. 11. 12. 13 were passed.

Article 14 was discussed. It was voted to incorporate an article forbidding the establishment by law of lotteries or gaming.

Article 15. was amended by adding "or may be used for private water ways", after the word "use".

Articles 16, 17, 18, 19, 20.

Article 22 passed — preserving the Hawaiian flag

Adjourned

William O. Smith

Executive Council

May 25, 1894. 7³⁰ P.M.

(at Mr. R. Castle's)

Present President Dole, Minister Smith and L. A. Thurston, J. A. Kennedy, Judge Robertson, W. N. Armstrong, W. W. Alexander, A. S. Judd, J. B. McStocken, and A. S. Hartwell

Articles relative to first election read: "approval" substituted for "consent" (of cabinet).

In Article relative to "Termination of Advisory Council" "convening" was substituted for "election" and "The first election" was stricken out. and "such convening" substituted.

In Article (34) relative to Executive discussion arose on the number requisite to constitute the cabinet, McStocken moved to unite the Departments of Foreign Affairs & Interior. On a regular expression of opinion he suggested adding a Minister of Education.

In Art. 25 the last clause, relative to speaking the English language, was stricken out as belittling the office etc.

On Art. 26 President Dole objects to having himself declared 1st President. It savors too strongly of South Americanism. The discussion turned on the importance of the personnel of the first Incumbent. On motion the words "S. B. Dole now President of the Provisional Government of Hawaii" were stricken out.

Arts. 27 & 28 after amendment were approved.

Art 29 was amended and approved. Adjourned at 10³⁰ P.M. to meet at 129 P.M. tomorrow.

Executive Council.

May 26. 1894 1.30 P.M.

Present President Dole and Minister Smith.

Also Messrs Thurston, Hartwell, Alexander, & Brown, Robertson, Judd, Kennedy, W. Hockett & Castle.

On motion Art. 15 of the proposed Constitution was reconsidered and amended, so as to follow the provision of the Colorado Constitution Art. 30. was amended by inserting the words "with the approval of the Cabinet" after the word "power" in the first line.

The second and third paragraphs were stricken out and then the Art. was approved.

Art. 31 was considered and all after the word "impeachment" was stricken out.

And inserting "and commutations of sentences" after the word "pardons".

Article 32 was passed.

Article 33 was passed.

Mr Dole presented his report on the provision against legalizing lotteries and gaming.

The following was adopted "No lottery shall be allowed in this Republic nor shall the sale of lottery tickets be allowed".

Art. 27 relating to the election of the President and Mr. Hostler's report was considered and after amendment was approved.

Article 34 was approved.

" 35 " " "

" 36 " " "

" 37 was amended and approved.

" 38 was approved.

" 39 was considered amended and approved. Adjourned to meet Monday at 1.30 P.M.

W. H. Hockett

Executive Council.

May 28.

1894.

Present President Dole and Ministers Damon and Smith.

It was voted to close the Government Offices on Wednesday, being the day of convening the Constitutional Convention.

It was agreed to make public the object of again taking possession of Muckia Island.

The matter of opening ceremonies and invitations to the Constitutional Convention was considered.

P.M. Gen. Oat presented petitions for the removal of W. A. McKay, P.M. Wailuku.

Voted to appoint Antonio Perry a District Magistrate for Honolulu during the time Judge Robertson is engaged in the Convention.

Adjourned.

William D. Smith

130 P.M.

Present President Dole and Ministers Hatch, Damon and Smith.

Also Messrs Thurston, Armstrong, Alexander, Judd, W. R. Castle, Hartwell, Robertson, Kennedy and W. Sticker.

Upon the matter of incorporating in the constitution a provision, that the prosecution in criminal cases may have the right of ~~reception~~ and new trial in the same manner

as dependents, Mr Smith reported a recommendation that the matter be deferred, to be brought in the Constitution by way of amendment, if it seems best.

The recommendation was adopted.

Civil Service Reform The subject of a provision for Civil Service Reform was discussed. It was voted to leave the subject for future legislation.

Court of Impeachment Mr Judd spoke of the matter of a provision for a Court of Impeachment also in regard to the currency and coining money.

Mr Dale spoke of a provision making Acts relating to the Provisional Government apply to the Republic, such for instance as the sedition law.

Voting It was voted to incorporate such a provision. The provisions relating to voting for Representatives was not discussed.

It was voted to limit fractional votes to $\frac{1}{2}$ votes. The provision relating to voting for Senators was discussed and approved.

Elections Rules An Article was added giving power to the President with the approval of the Cabinet to make rules etc governing elections.

Appointments ad interim The next matter was a provision covering appointments before the Legislature is formed. This was covered by giving to the present Advisory Council of the Prov. Govt., the powers of the Legislature and Senate, until the Legislature meets.

Quorum The next provision as to counting members of the Legislature, who are present, as a part of a quorum, was approved.

Official Oath The form of the oath to be required of officers of the Government, members of the Legislature, and electors to take was amended and approved.

A provision for annual reports to be made by the Departments was approved.

^{abolition} The provision fixing the responsibility of Ministers and government officers was ^{was} discussed and approved.

The articles relating to the Judiciary Department were next considered.

Art. 71 was stricken out, other amendments were made.

The Article referring to Crown Lands was read.

Adjourned at 4⁵⁰

William O. Smith

Executive Council

May 29. 1894 11 am.

Present Ministers Hatch Damon ^{and} Smith.

^{ng} Mr Damon presented the matter of the proposed compromise with Mrs Kate L. Youmans ^{on} in regard to certain harbor property in Honolulu ^m by which she should deed a certain lot to the st Government containing an area of 2.40 acres, situated between the Oahu L & R Co ^{and} King Street, in consideration of the Government's filling in a lot of hers near the Fish Market.

The proposition is embodied in a letter from the Superintendent of Public Works dated April 4. 1894, of which the following is a copy = Bureau of Public Works.

Honolulu April 4. 1894

Mrs K. L. Youmans - 247- 5th Ave. N. Y.

Dear Madam,

Having made a proposition on behalf of the Hawaiian Government, to Mr S. M. Damon as your agent, he thought

I had better write directly to you and make all necessary explanation.

I enclose a blue print sketch which will make the proposition definite.

The Government wishes to improve the N.W. side of the harbor by making wharves and streets, but of course cannot do this without acquiring the title to the necessary property.

That portion of your property required for the necessary improvements is shown in the sketch enclosed by a red margin.

In exchange for this the Government will fill to grade for you the lots enclosed by the yellow margin.

The area of the piece requested by the Government is 2.40 acres.

The area of the two lots which the Government proposes to fill for you is 1.35 acres. Of this you will notice that part of Warehouse Lot N^o 2 is on Kaakaukui which is Bishop Estate property.

I expect an exchange will be made by the Government with the Bishop Estate so that we can give you the title to the whole of Warehouse Lot N^o 2.

At present nearly the whole of your piece is under water, a portion only being bare at extreme low tide. The expense of filling so as to make it available for any purpose other than crab fishing would be very great. The improvements to be made by the Government, to my mind, form no small part of the consideration.

The lots filled to grade as proposed fronting on streets so near the business center of town will be much more valuable than the whole 6 acres are at present.

We expect to make a similar arrangement with the Oahu Railway and Land Co. so as to continue the improvements along that side

of the harbor.

This will involve changing the stream channel and that change will be a material benefit to your property, inasmuch as it will render available for filling and improving nearly an acre which is now occupied by the bed of the stream.

Hoping you will consider the proposition favorably, or that you will suggest other terms more satisfactory to yourself by which the Government will be enabled to inaugurate the public improvements desired.

I remain Yours very truly

(Signed) W. E. Rowell, ["]Sept of Public Works.

In reply a letter was received from her under date of May 7. of which the following is a copy.

247 5th Avenue May 7.

My dear Sir,

Of course I have no means of knowing whether the proposal of the Provisional Government is an advantageous one for me aside from its own assurances, but I have such confidence in its integrity that I am willing it should take my land for the purpose and on the conditions specified in the communication from the Superintendent of Public Works. Very truly Yours

Kate Lee Gourmans"

It was voted to accept her offer.

Mr Damon brought up the matter of destroying the worn out silver certificates, and replacing them with new ones.

It was decided to bring the matter up in the Advisory Council.

Mr Smith reported that W. C. Parker had declined the appointment of District Magistrate for Honolulu and it was

voted to commission Antone Perry Esq.
Adjourned

William O. Smith

Executive Council.

June 1. 1894 11. am.

Present President Dole and Ministers
Hatch, Damon and Smith.

Mr Dole presented a report from Lieut.
Col Fisher on the condition of the National
Guard.

Resignation of Col Soper
The matter of Col Soper was discussed
and in view of the feeling manifested
in the Advisory Council and the condition
of the Military, it was deemed best that
Col. Soper be requested to resign.

It was suggested that upon his resignation
he be appointed upon the staff of the
Commander in Chief.

Magistrate of Molokai
It was voted to appoint W.A. Kukamama
as District Magistrate of Molokai, to date
from June 2. 1894.

Dr Rowatt
abst'd
Vet. Surgeon
Dr Monsarratt having resigned. The
position of Veterinary Surgeon and Inspector
of Animals it was voted to appoint Dr Rowatt.

Hong Kong Chinese
Mr Hatch presented a letter from the
Planters Labor & Supply Co. under date of
May 25 suggesting that the Government
correspond with the British Government
upon the restrictions upon Chinese leaving
Hong Kong.

It was voted to open such a correspondence
with a view to encouraging Chinese
immigration.

It was voted to rescind the privilege

Recommendation
Commission
British Troops granted to Mr Wodehouse under date of
December 18. 1893 to land troops from
British ship of war to protect the Legation.

Rejection of
proposition to
remove
O.P. Shipman In the matter of the reported intention
of the Assessor of Hawaii to remove O.P.
Shipman from office as Deputy Assessor
because he had not registered; it appearing
that Shipman was detained by illness, it was
deemed best to request Mr Austin to refrain
from such action.

Adjourned.

William O. Smith

Executive Council.

June 8. 1894.

Present President Dole and Ministers King
and Smith.

To name
an number
Streets The petition of William Sawidge, C. A. Jacobson
and Chas. H. Oeffler to be granted the right to
correctly name the streets and number the
residences of Honolulu.

Voted to write asking them to submit the details
of their proposition in writing.

Application of J. Furusho to purchase 22 ⁹/₁₀
acres of Government land at Kuaia, Hilo Dist.
at upset price of \$500 per acre.

After considering report from Survey Department
it was voted to offer the land at auction at
upset price named.

Lease of
Honolulu Application of Honolulu Sugar Co. to renew lease
of 3000 acres in Honolulu, Dist. of Hilo, for
\$600 per year, the lease has three year to run,
they are now paying \$501 rent.

adjourned

William O. Smith

Executive Council
June 13. 1894.

Present President Dole and Ministers Hatch,
 King, Damon and Smith.

Resignation
 Col Super After a discussion of Convention matters
 Mr Dole stated that he had had interviews
 with Col. Super in regard to his resignation,
 and that the Colonel had shown a fine and
 patriotic spirit in the matter, that he was
 ready to resign, but would prefer that Mr Dole
 should write him a letter asking his resignation.

Mr Dole stated that he had told Col. Super
 that upon his resigning he would like to
 appoint him upon his staff, which pleased
 Mr Super. Mr Dole thought he would ask him
 to resign.

Ncker
 Island Mr Hatch presented a Proclamation relating
 to the acquiring of Ncker Island, which it
 was voted to publish.

Adjourned.

William Smith

Executive Council.
June 18. 1894

Present President Dole and Ministers Hatch,
 King, Damon and Smith also J. A. Thurston.

Honolulu
 W. W. Works Minister King brought up the matter of the
 Pumping Plant for the Honolulu Water Works,
 and presented an estimate furnished by the
 Honolulu Iron Works, giving specifications.
 Voted that tenders be advertised for the Pumping
 Plant.

A. Brunson
 George Stoneman It was voted to grant letters of denization to
 Anson Brunson Esq and George Stoneman Esq.

A general discussion of Constitutional Convention matters followed, and the Council Adjourned.

William W. Smith

Executive Council
June 20. 1894.

Present President Dole and Ministers Hatch, King and Smith.

Also by invitation J. A. Kennedy, Chairman of American Union Party; S. B. Murray, President of American League; also Capt Klemme, President of the Schutzverein.

Kona Lands J. M. and J. D. Monsarratts application to purchase of Okoe two lots Government Land in Okoe, S. Kona, areas 104 and 105 acres respectively at upset price of \$50 each.

Voted to offer at Public Auction at \$75 each.

Deputy Assessors of Hawaii Mr Darnon reported recommendation of the Appointments of Deputy Assessors in Hawaii: Approved W. H. Wright, South Kona. W. E. Scott, North Kona. W. E. Fennel, Kau.

The appointments were approved.

Laupahoehoe Land The application of E. W. Barnard to purchase 60 acres of Government Land at head of Laupahoehoe, at \$3 per acre was presented. The recommendation of the Survey Department is the upset price be \$5 per acre.

Voted to offer the land at upset price of \$5 per acre.

Clerk in Foreign Office Mr Dole brought up the matter of the appointment of some one to take the office of Clerk in the Foreign Office lately occupied by Mr Wright, and stated the situation as to application on behalf of Mr Stackable; and of the desire of the Government to appoint Mr Girvin to some suitable office.

The matter was discussed and action deferred.

Adjourned.

William Smith

Executive Council.

June 21, 1894.

Present President Dole & Ministers King, Damon and Smith.

Mr Dole spoke of the reports he had received of an interview between a committee of natives and Mr Willis, at which the committee asked him what he was going to do.

U.S. Min. That Mr Willis told them he had received
Willis no instructions from Mr Cleveland, but when
Conduct he received instructions he would let them know.

Condemned It was deemed best that Mr Hatch should see Mr Willis and inform him of these statements. Because the Royalists still persist in claiming that the President of the United States still intends to restore the ex-Queen and if Mr Willis makes such statements it is not proper nor consistent with his official duty.

P.O. Convention with Canada Mr Damon presented the money order Convention between the Post Master General of Canada and the Post Master General of Hawaii.

Interview with British Min Woodhouse Mr Hatch stated that he had had an interview with British Minister Woodhouse, yesterday upon his request that this Government observe yesterday as the anniversary of Queen Victoria's accession, also that the

sailors and marines of H.B.M.S. "Champion" be allowed to land for drill.

Mr Hatch presented the following memorandum of the conversation.

"I called upon Major Woodhouse at his residence, and stated that I desired to explain to him why I had sent him a letter revoking the verbal permission given to Capt. Rooke to land his forces under arms for the purpose of drill. The President considered that the present was a fitting occasion to call upon him to define more clearly and accurately his relations towards this government.

That he had called upon us for protection in regard to a newspaper article, that we desired him to state fully, freely and frankly, exactly what his position was. He replied: "I have recognised your Government as the de facto government of the country". I said "I am aware of that but your actions since that date have in certain respects been equivocal, and have not been clearly understood by us".

"Neutral
Attitude"

He said "I desire to maintain a strictly neutral attitude, I am unable to state anything further in regard to my relations with the Government". He further said he had refrained from taking part in or attending any of the functions of the government, referring especially to the opening of the Constitutional Convention, for the reason that it would be taking sides; that neither he nor Capt Rooke could attend the garden party to be given at my house because he considered it to be a political matter; that if he took part on one side he would be compelled to on the other. I said to him. "Excuse me for asking you the direct question, which you can answer or not as you choose without giving offence".

I desire to ask you if since the 17th of January last year, you have maintained any diplomatic or official relations with Liliuokalani?" He denied most positively and emphatically that such was the case. He stated he would not be performing his duty if he had done so. That he had called upon her merely as a friend in his individual capacity; and had given her only good advice. I said to him that up to the present moment we had not understood why he had not attended the opening of the convention; that his reply to the invitation was a brief refusal to take part without explanation, and had not been followed by any personal explanation of his reasons, that therefore we had been able to draw but one inference, that a direct slight was intended to the Government. He assured me that such was not his intention, and disclaimed any idea of slighting the government or treating it with any disrespect. He said he would not be performing his duty if he offered any slight to the Government; and repeated that his only reason for not going was to maintain his position of neutrality, and to avoid taking sides. I said the present explanation raises a very serious question, and I was at a loss to say at that moment what action we would be compelled to take in consequence, but it must be evident to him that we would be compelled to take some action, and could not allow his views as now expressed to pass unchallenged.

I said to him that I considered his position entirely untenable, that a position of neutrality implied the existence of

of two parties, or two governments in fact. That there was only one government existing in this country; that the ex-queen did not pretend to be exercising at the present time any function of government. That the conclusion to be drawn from his position of neutrality was that he did not recognise the present government to be the government of the country at the present time". He replied: that he had recognised it as the de facto government, but as it was provisional in form he could not treat it in the same manner as he would a permanent government" I said "that the consideration of de facto and de jure governments was a question with which he had nothing whatever to do; that I understood it, in international law, foreign countries dealt only with de facto governments, and could not presume to enquire into the question whether or not the government was a government de jure; that it was fully in their discretion to refrain from recognising a government as a de facto government for as long a period as they see fit, and to enter into diplomatic relations with it or not, but when they chose to have official relations with a country it must be with the de facto government." He made no reply to this.

Referring to the request to land troops to drill, I pointed out to him that Capt Rooke had not received on board his ship officially, any member of the government; and that it was very probable that we would not grant him permission to land troops to drill while this position was maintained by Capt Rooke. He said "Will you put the reasons in writing in regard to landing troops?" I said "we

will certainly reply to your letter when it is received, in case you renew your request to land, but how fully we may discuss the reasons for such refusal is matter for consideration. I said we regretted the fact of having any difference with him at the end of his long period of service, and after having received notice of his retirement; that I knew that his influence during his residence in the country had always been in favor of good government". He asked how soon we expected to declare the Republic. I said within two or three weeks. He urged me to allow the whole matter to remain in abeyance until that event; that at present he was without instructions from his government; that he had informed his government that a Republic would probably soon be declared; that he expected shortly instructions which will clear up the situation and remove the difficulty". I told him "that his attitude of neutrality, although not so intended by him, must inevitably give encouragement to partisans of the late queen; that I was aware at the present moment that plots were on foot to make an armed attack upon the government, and that knowledge of his attitude as he then expressed it, could not fail to encourage such persons." He made no reply to this.

Signed A. M. Hatch.

After discussion of other matters the Council adjourned
William Smith

Executive Council
June 23. 1894.

Present President Dole and Ministers
 Hatch, King, Damon & Smith.

Hawaiians
 Salt Lake Mr Hatch stated he was about to authorize
 Consul Widdor, of San Francisco, to pay the
 expenses of returning Hawaiians at Salt Lake.
 This met with approval.

It was decided to authorize the placing
 of more electric lights in the grounds of
 the Executive Building.

British
 Ministers
 reply,
 Evasive Mr Hatch presented a reply from Mr Woodhouse
 of yesterday in reply to a request for an
 explanation of his statements of his attitude
 toward the government.

The answer is evasive and unsatisfactory.
 It was voted, under the circumstances, to
 decline to allow the men from the "Champion"
 to land.

The matter of the reports of attempts to
 be made to overthrow the Government were
 discussed.

Adjourned.

William Smith

Executive Council
June 26. 1894

Present President Dole & Ministers Hatch,
 King, Damon and Smith

Mr Dole brought up the matter of the
 proposition of Frank Archer, Dist. Magistrate
 of Ewa, Oahu, and Sam Hookano, Depty Assessor,

of the same district: who wish to exchange offices vide the following letter

Sam
Hookano
apptd.
Magistrate
of
Ewa

Honolulu, Oahu, June 23rd, 1894.

To His Excellency Sanford B. Dole
President of the Provisional Government,
of the Hawaiian Islands.

Sir: The undersigned respectfully asks Your Excellency that he be appointed as District Magistrate for the District of Ewa, Island of Oahu, in place of Frank R. Archer who will resign and take the Deputy Recordership for the Districts of Ewa and Waianae, Island of Oahu aforesaid. Your petitioner will ever pray.

Signed - Sam Hookano.

It was voted to approve the change upon their resigning their respective offices.

Adjourned

William Smith

Executive Council

June 29. 1894.

Present President Dole & Ministers Hatch, King, Damon and Smith.

Promulgation of Constitution Matters relating to the final passage of the Constitution and of the programme of exercises on the day of promulgation were discussed. The forms of oath and certificate to be printed for use under the Republic were decided, and the printing ordered.

Leave of Absence of Damon The matter of Mr Damon's proposed leave of absence, to visit California, were discussed.

Adjourned.

William Smith

Executive Council

July 2. 1894.

President Dole and Ministers Hatch, King, Damon and Smith being present.

Fischel
Appraiser Mr Damon's nomination of Mr Fischel as Appraiser, at the Custom House, was approved.

Mr. G. W. Girvin
Clerk Foreign Office Mr Hatch's appointment of Mr J. W. Girvin as a Clerk in the Foreign Office was approved.

Nonliability
of Japanese
for Taxes In the matter for liability for taxes of the Japanese immigrants, who arrived by the "Miki Maru" last week, and who have been held in quarantine until this morning;

It was decided that they are not liable to pay personal taxes due July 1st 1894.

And that the free Japanese immigrants who arrived in the "Aikoku Maru" on Friday, and who, under the law relating to alien immigrants, have not yet been released, are not liable to such taxes.

Also that Japanese laborers who arrive under contract to the Board of Immigration, are not liable to pay Hospital Tax.

Members
Registration
Boards Names of persons suitable for members of Boards of Registration and as Examiners were considered.

Lease of
Lands of
Honolulu
Kupua The application of the Honolulu Sug. Co for new lease of the land of Honolulu and Kupua Govt lease $3\frac{1}{2}$ for 25 years, rent \$600, covenant to plant not less than 30 acres in coffee each year for the first 10 years, was approved.

Adjourned

William O. Smith

Whereas:

On the 4th day of July A.D. 1894 the Republic of Hawaii was proclaimed, vide the subjoined proclamation, and succeeded to all the powers of the Provisional Government established on the 1st day of January A.D. 1893

PROCLAMATION

I, SANFORD B. DOLE, President of the Provisional Government of the Hawaiian Islands, by virtue of the charge to me given by the Executive and Advisory Councils of the Provisional Government, and by Act dated July 3, 1894, proclaim the Republic of Hawaii as the Sovereign Authority over and throughout the Hawaiian Islands from this time forth. And I declare the Constitution framed and adopted by the Constitutional Convention of 1894 to be the Constitution and the supreme law of the Republic of Hawaii, and by virtue of this Constitution I now assume the office and authority of President thereof.

Now is the sole and supreme government of the Hawaiian Islands:

Therefore

All process hereafter shall be in the name of
The Republic of Hawaii.